

Appl. No. 09/540,614
Amdt. Dated 01/06/2006
Reply to Office Action of October 6, 2005

REMARKS/ARGUMENTS

This Preliminary Amendment is in response to the Advisory Action dated May 26, 2005. In the Advisory Office, claims 1-23 remained rejected under 35 U.S.C. §103(a). Applicant respectfully traverses the rejection because *a prima facie* case of obviousness has not been established. Independent claims 1, 9, 14 and 18 have been amended. Dependent claim 6 has been amended as well. Reconsideration of all of the pending claims is respectfully requested.

Request for Examiner's Interview

The Examiner is respectfully requested to contact the undersigned by telephone at the phone number listed below if after review, such claims are still not in condition for allowance. This telephone conference would greatly facilitate the examination of the present application. The undersigned attorney can be reached at the telephone number listed below.

Rejection under 35 U.S.C. §103(a)

Claims 1-23 remained rejected under 35 U.S.C. §103(a) as being unpatentable over Ishac (U.S. Patent No. 5,812,861) in view of Russell (U.S. Patent No. 4,841,492) and Brown (U.S. Patent No. 6,487,667). Applicant respectfully traverses the rejection because *a prima facie* case of obviousness has not been established.

As the Examiner is aware, to establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify a reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all of the claim limitations. See MPEP §2143; see also *In Re Fine*, 873 F. 2d 1071, 5 U.S.P.Q.2D 1596 (Fed. Cir. 1988). Herein, at a minimum, the combined teachings of the cited references do not describe or suggest all the claim limitations.

Herein, Ishac teaches an indicator (325) of override circuitry (320) that, when set, transmits an OVER-RIDE signal to powerdown controller (310). The indicator (325) is

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configured to indicate when the die is to be placed into powerdown mode independently of any external powerdown signals (PWD#). More specifically, when the indicator (325) is set, the OVER-RIDE signal causes the powerdown controller (310) to ignore any power-up commands from an external powerdown signal (PWD#). When the indicator (325) has not been set, however, the OVER-RIDE signal will not cause powerdown controller (310) to ignore a power-up command. *See col. 6, lines 31-48 of Ishac.* Russell teaches an output disable pin of phase selector (22), which is used to inhibit an output of any signal by a transmit focus block (12i) and provides no teaching of preventing access to stored information. In addition, Brown teaches a remote pass-phrase authentication technique, which is unrelated to the scope of the claimed invention.

Neither Ishac, Russell nor Brown, alone or in any combination, suggests an operation of preventing modification of a representation of a primary pass-phrase (e.g., pass-phrase itself, derivation of the pass phrase, etc.) when the override disable pin is asserted. As previously stated, the "primary pass-phrase" permits access to stored information within the electronic system, namely information stored within non-volatile memory. Hence, in certain situations, when the override disable pin is asserted and the user accidentally forgets the pass-phrase, he or she is fully precluded from accessing the stored information that may render the device inoperable.

Rather, when combining the teachings of these references, the resultant combination produces a disable pin that, when set, *ignores* any subsequent, external power-up commands. *Emphasis added.* There is no operation involved to *prevent modification of the pass-phrase* as claimed. *Emphasis added.* In other words, the combined teachings do not teach or even suggest the use of a disable pin to prevent access to the stored, primary pass-phrase which is responsible for permitting access to stored information within the electronic system as set forth in claims 1, 9 and 18. In addition, additional limitations have been added to differentiate the primary pass-phrase from the indicator bit (325) of Ishac. Consideration of the outstanding claims is respectfully requested.

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Moreover, with respect to independent claim 14, neither Ishac, Russell nor Brown, alone or in any combination, suggests an operation of disabling placement of an integrated circuit device of the electronic system into the administrator mode when an override disable pin of the integrated circuit device is asserted prior to assertion of an override pin...so that the primary pass-phrase needs to be supplied before access to the data stored within the integrated circuit device is allowed. As further claimed in claim 14, data stored within the integrated circuit device "can be cleared only when the integrated circuit device is placed in the administrator mode." The combination of these limitations is patentably distinct from the combined teachings of the cited references.

Conclusion

Applicant respectfully believes that all claims are in condition for allowance. Allowance of the pending claims is respectfully requested at the Examiner's earliest convenience.

Respectfully submitted,

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Dated: January 6, 2006

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Susan McFarlane

01/06/2006

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